

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

FILED
SCRANTON

DEC 02 2014

PER

[Signature]
DEPUTY CLERK

ERICK FLORES-RIVERA,

:

:

Petitioner

:

:

v.

: CIVIL NO. 3:CV-14-2251

:

DAVID EBBERT,

: (Judge Kosik)

:

Respondent

:

ORDER

AND NOW, THIS 2nd DAY OF DECEMBER, 2014, for the reasons set forth in the accompanying Memorandum, **IT IS HEREBY ORDERED AS FOLLOWS:**

1. Petitioner's application to proceed in forma pauperis (Doc. 2) is **granted**.
2. The petition for writ of habeas pursuant to 28 U.S.C. § 2241 is **dismissed for lack of jurisdiction** and without prejudice to Petitioner seeking leave from the United States Court of Appeals for the First Circuit to file a second or successive 28 U.S.C. § 2255 motion.
3. The Clerk of Court is directed to **close this case**.

[Signature]

EDWIN M. KOSIK
United States District Judge